

REMARKS

Applicant has carefully studied the Office action of May 13, 2010 and requests reconsideration of the rejections in view of the foregoing remarks.

To assist the examiner in better appreciating the differences and the art of record, applicant will briefly summarize his invention. As recited in pending claim 1, applicant claims a broadcast router that comprises at one first chassis and at least one second chassis. The first chassis has one of a first, a second, and a third configuration. The first configuration includes a plurality of input cards and no output cards. The second configuration includes a plurality of output cards and no input cards. The third configuration includes a plurality of input and output cards. The second chassis has one of the second configuration and first configuration when the first chassis has the first and second configuration, respectively. The ability of each of the first and second chassis to have alternate parity configurations affords applicant's broadcast router greater flexibility as compared to broadcast routers of the prior art.

Applicant acknowledges the Examiners withdrawal of the previous rejections under §103(a) which identified Kimura et al as a primary reference.

35 U.S.C. §103(a) Rejection of Claims 1-3, 5, 6, 12, and 13

Claims 1, 2, 5 and, 6 stand rejected under 35 U.S.C §103(a) as being unpatentable over U.S. Publication No. 2003/0099247 to Toutant et al. (hereinafter "Toutant et al") in view of U.S. Patent 6,459,699 to Kimura et al. (hereinafter "Kimura et al.).

Applicant respectfully traverses the rejections in view of the teachings of the references. Toutant et al. discloses programmable interconnect system for scalable router. As shown in Figures 3A and 3B, and as pointed out by the Examiner, Toutant et al discloses the connection of router two chassis' for the purpose of expanding the router size. However, Toutatant et al fails to disclose or remotely suggest the alternate parity configuration of the present invention as set forth in claim 1 which states "...at least a second chassis, having one of the second configuration and first configuration when the first chassis has the first and second configuration, respectively."

The Examiner has admitted this deficiency of Toutant et al in the office action by stating “Toutant et al is not clear on multi-stage I/O configurations.” In an effort to show this feature, the examiner again cites Kimura et al. for this purpose. Despite the Examiner’s reliance on the abstract, Col. 1, line 48 – Col. 3, line 57 and Figure 1 of Kimura et al, nothing in these cited passages, or anywhere in Kimura et al, contains any disclosure or suggestion of the alternate parity configuration recited in applicant’s claims. In particular, Kimura et al. says nothing about “at least a second chassis, having one of the second configuration and first configuration when the first chassis has the first and second configuration, respectively.”

As applicant has stated in the previous response, Kimura et al. concerns an Asynchronous Transfer Mode (ATM) switching module for routing packets from a switch input to a switch output. The Examiner has previously admitted that Kimura does not specifically disclose a broadcast router. Indeed, Kimura et al. concerns an ATM switch which functions to route a packet from a single input to a single output, as known in the art. As applicant has stated previously, the routing of packets in an ATM switch to multiple outputs (as is desirable in a broadcast router) would cause errors in the operation of the ATM switch. Thus, once again, The Examiner’s proposed combination would not afford the necessary predictability as required by *KSR International v. Teleflex, Inc.* 550, U.S. 398, 127 S. Ct. 1727 (2007). Since, the teachings in Kimura would lead a skilled artisan away from any combination with Toutant et al., the examiner’s rejection must fail.

35 U.S.C. §103(a) Rejection of Claim 3

35 U.S.C. §103(a) Rejection of Claims 4 and 11

35 U.S.C. §103(a) Rejection of Claims 7-10

Claim 3 stands rejected under 35 U.S.C §103(a) as being unpatentable over U.S. Publication No. 2003/0099247 to Toutant et al. (hereinafter “Toutant et al”) in view of U.S. Patent 6,459,699 to Kimura et al. (hereinafter “Kimura et al.”), in further view of U.S. Patent No. 7,415,551 to Pescatore et al.

Claims 4 and 11 stand rejected under 35 U.S.C § 103(a) as being unpatentable over U.S. Publication No. 2003/0099247 to Toutant et al. (hereinafter “Toutant et al”) in view of U.S.

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Art Unit 2467

Docket No. PU030245
Customer No. 24498

Patent 6,459,699 to Kimura et al. (hereinafter "Kimura et al."), in further view of U.S. Publication No. 2003/0058880 to Sarkinen et al.

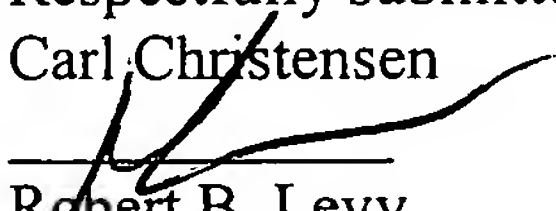
Claims 7-10 stand rejected under 35 U.S.C § 103(a) as being unpatentable over U.S. Publication No. 2003/0099247 to Toutant et al. (hereinafter "Toutant et al.") in view of U.S. Patent 6,459,699 to Kimura et al. (hereinafter "Kimura et al."), in further view of U.S. Patent No. 5,550,815 to Cloonan et al.

Claims 2-11 ultimately depend from independent claim 1, and as such, the failure of the combined teachings of Toutant et al. with those of Kimura et al. results in a failure of each dependent claim rejection as applied to this combination in view of any of the further cited art. None of the Pescatore et al., Sarkinen et al., or Cloonan et al. references remedy the deficiencies of Toutant et al. and Kimura et al. Therefore, claims 2-11 patentably distinguish over the art of record.

Conclusion

In view of the foregoing, applicants solicit entry of this amendment and allowance of the claims. If the Examiner cannot take such action, the Examiner should contact the applicant's attorney at (609) 734-6820 to arrange a mutually convenient date and time for a telephonic interview.

No fees are believed due with regard to this Amendment. Please charge any fee or credit any overpayment to Deposit Account No. 07-0832.

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Docket No. PU030245

Inventor(s): Carl CHRISTENSEN

Serial/No. 10/568,035

Filed: Herewith

Patent No. _____
Atty/Agent: RBL/lg

Title: BROADCAST ROUTER WITH MULTIPLE EXPANSION CAPABILITIES

APPLICATION AS FILED

Enter Date	Enter Number	Check Type	Check Items Mailed with Application	Express Mail Application Label No.: EM 5925230715
App. Mailed		<input type="checkbox"/> Independent Claims	<input type="checkbox"/> Declaration	
		<input type="checkbox"/> Claims in Excess 20	<input type="checkbox"/> Assignment & Recordation Sheet	
		<input type="checkbox"/> Claim Pages	<input type="checkbox"/> Preliminary Amendment	
		<input type="checkbox"/> Specification Pages	<input type="checkbox"/> Priority Document -	
		<input type="checkbox"/> Sheets of Drawings	<input type="checkbox"/> IDS 1449 with References	
		<input type="checkbox"/> Abstract Pages	<input type="checkbox"/> US Provisional Transmittal	
		<input type="checkbox"/> US Provisional	<input type="checkbox"/> Utility Application Transmittal	
Amt.:	Charge	<input type="checkbox"/> PTO/SB/96	<input type="checkbox"/> Fee Transmittal Sheet in duplicate	Date Deposited: August 19,
Mailed	Due	AMENDMENTS	APPEALS	Due FEE
		After Rejection	Notice of Appeals	Filing Fee Exp.
		After Final Rejection	Appeal Brief	Issue Fee
		After Allowance U/R312	Reply Brief	
		Supplemental	Petition To Withdraw.	Ext Time\$1.13
		Voluntary	REQUESTS	Add'l. Payment
		Letter to Exam/Draftsperson w/Drawing Correction(s)	Ext.Time\$1.13(b)	Fee Trans.For
		Pg(s). of Formal Dwgs.	Petition	
		OTHER	Cert. of Correction	Charge Total Fee Amt
		Reg. License to Foreign File	OTHER	OTH
		Reg. Priority 35USC119	Petition to Revive	Appointment A
			Prev. Submitted	Assignment & I
		RCE	Response to OA	Letter to PO
			Fax Transmittal Conf Sheet	
		Supp IDS Statement	Letter from Atty re: Unintentional Abndmnt	Notif. of Foreign
		Supp IDS w/References	Declaration	Correction Of F
		Certificate of Mailing	Suppl. Declaration	



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